

A FORMAL PLEA

TO: THE GOVERNOR AND LEGISLATORS OF THE STATE OF MISSISSIPPI

FROM: THE CONCERNED CITIZENS AND IMPRISONED IN THE MDOC

Comes now the citizens of this State, the imprisoned within the Mississippi Department of Corrections, families and friends, before the Honorable Haley Barbour, Governor; and the MDOC Administration, Mr. Christopher Epps, Commissioner; the Mississippi Legislature, Congressmen and Lawmakers and submit their humble plea to request that you please reinstate the old 10 YEAR MANDATORY SENTENCING LAW, Mississippi Code Annotated 1972 that was part of the law prior to 1995.

This law allowed certain violent crime offenders, especially first time offenders, and offenders with life sentences, to enjoy and exercise the alternative sentencing prison reform programs. "Violent crimes" referring to charges of possession of controlled substances with intent to distribute, sex crimes, murder, manslaughter, armed robbery, and robbery and other violent crimes. The previous law also allowed parole and/or probation and the earned time credit 30 days earned for 30 days worked, along with educational and work programs.

The reinstatement of this TEN YEAR MANDATORY SENTENCING LAW would alleviate the present prison overcrowding situation, and reduce the tax burden on the citizens of Mississippi.

It is our opinion; the current laws (post 1995) create a double standard for violent crime offenders. To support this opinion, the current law 85% truth in sentencing creates a double standard between the sect of non-violent and violent offender, this all depending on the sentence. Currently a violent offender charged after 1995 with murder and sentenced to life has no opportunity for parole and will not be allowed a release under the 85% law. Thus the offender who has a charge of the 'violent crime' of manslaughter will be allowed a release under the 85 % law, and partake of prison reform programs. The offender with murder for life is not allowed to enjoy alternative parole, probation, house arrest or a work program with credit. This law also prohibits sex offenders and first time offenders of violent crimes or offenders with a life sentence from participating in any of the available prison reform programs. We must wonder if the purpose of the TIS laws enacted on or around 1994 was an attempt to REDUCE crime and recidivism. If so, surely you can see this has NOT happened. As judged by the 2008 PEER report, rehabilitation and other means should be tried, because the TIS laws are not helping. It remains one of the major factors in our current prison over-crowding!

Our appeal to you is wouldn't it make sense to allow all incarcerated to have the incentive to rehabilitate? It is our opinion, the savings in the budget and positive results would produce a lesser tax burden and reduce overcrowding currently in MDOC.

Certainly the lawmakers of Mississippi did not intend for these mandatory sentencing laws to prohibit a first time offender, a first time violent offender or a habitual offender a chance at parole or probation. Is it the belief of the lawmakers that an inmate not be allowed to prove themselves worthy of release? Participating in the earned time, good

time credit program or educational programs (GED, for example) would surely allow the offender a positive direction to pursue the opportunity for regained freedom. Family, loved ones, church family, and advocates would certainly support rehabilitation that would reduce the tax burden on this state.

Most of the incarcerated know they did wrong and simply want and need the chance to prove not only to you but to themselves that they can change and become good citizens of our state. Wouldn't Mississippi rather have rehabilitated individuals prove their worth, stay out of trouble, participate in educational, work and earned good time programs successfully as opposed to having the release of those who just sat back, did their time, learned nothing and achieved nothing? The current law offers no incentive or opportunity to change, learn and become a responsible citizen, thus creating recidivism.

We humbly ask that you review this double standard and realize that as of now there is no incentive for rehabilitation with the current laws. Most offenders know they made a mistake and certainly deserve punishment but we must wonder when does this punishment end? When do they get a chance to be a productive citizen again? Please help pass a Bill to reinstate the 10 YEAR MANDATORY LAW that would also allow first time violent offenders the opportunity to participate in prison reform programs, as well as the opportunity to obtain parole (after the 10 year mandatory time) and earned time credit.

Respectfully submitted,
